

**C-139 AND WESTERN BASINS
BEST MANAGEMENT PRACTICES (BMPs)
GRANT PROGRAM**



2004 Applicant Handbook

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1.0 Introduction

As required by the 1994 Everglades Forever Act (EFA), water delivered to the Everglades Protection Area (EPA) must meet state water quality standards by December 31, 2006. Compliance with water quality standards will be achieved through implementation of the Everglades Construction Project (ECP), Non-ECP Permit, water quality improvement strategies, and Best Management Practices (BMPs). A major component of these activities includes an education program.

As part of the ongoing effort to ensure that water quality standards are met by 2006, a partnership has been established between the SFWMD, the Natural Resources Conservation Service (NRCS), the Hendry Soil and Water Conservation District (HSWCD), and the Florida Department of Agriculture and Consumer Services (FDACS). These agencies have created a fair and equitable process by which landowners and other stakeholders (“Applicants”) in the C-139 and Western Basins (Figure 1) - Feeder Canal, L-28, and L-28 Gap Basins - can receive funding for voluntarily implementing Best Management Practices (BMPs) that will reduce runoff and nutrient loading from these areas, or to complete demonstration projects that can provide information to assist in the selection of water quality improvement projects. Voluntary BMPs are those that are not required by permit or regulatory program. The C-139 and Western Basins are comprised of over 430,000 acres of mostly agricultural lands. Although a regulatory program is in place to achieve nutrient load reductions in the C-139 Basin, proposed eligible projects in this basin will be given priority ranking in the grant program because the basin is subject to an agricultural privilege tax and is currently out of compliance with the criteria established by the regulatory program.

2.0 Objective

The objective of the C-139 and Western Basins Best Management Practices Grant Program is to provide funding to Applicants to voluntarily implement BMPs, or to complete demonstration projects that can provide information to assist in the selection of water quality improvement projects. This handbook contains eligibility criteria, and describes the application and reimbursement processes. The three-agency partnership may fund up to 75% of the cost of a voluntary BMP implementation project. The remaining portion may be funded by the SFWMD, if the project meets the eligibility criteria. For BMP implementation projects that are not eligible to receive funds from the three-agency partnership, please contact Dan Rutledge, NRCS District Conservationist at the HSWCD office. Contact information may be found in Section 7. SFWMD may also fund BMP demonstration projects that can provide information to assist in the selection of water quality improvement projects. These projects may be funded up to 100% of eligible costs.

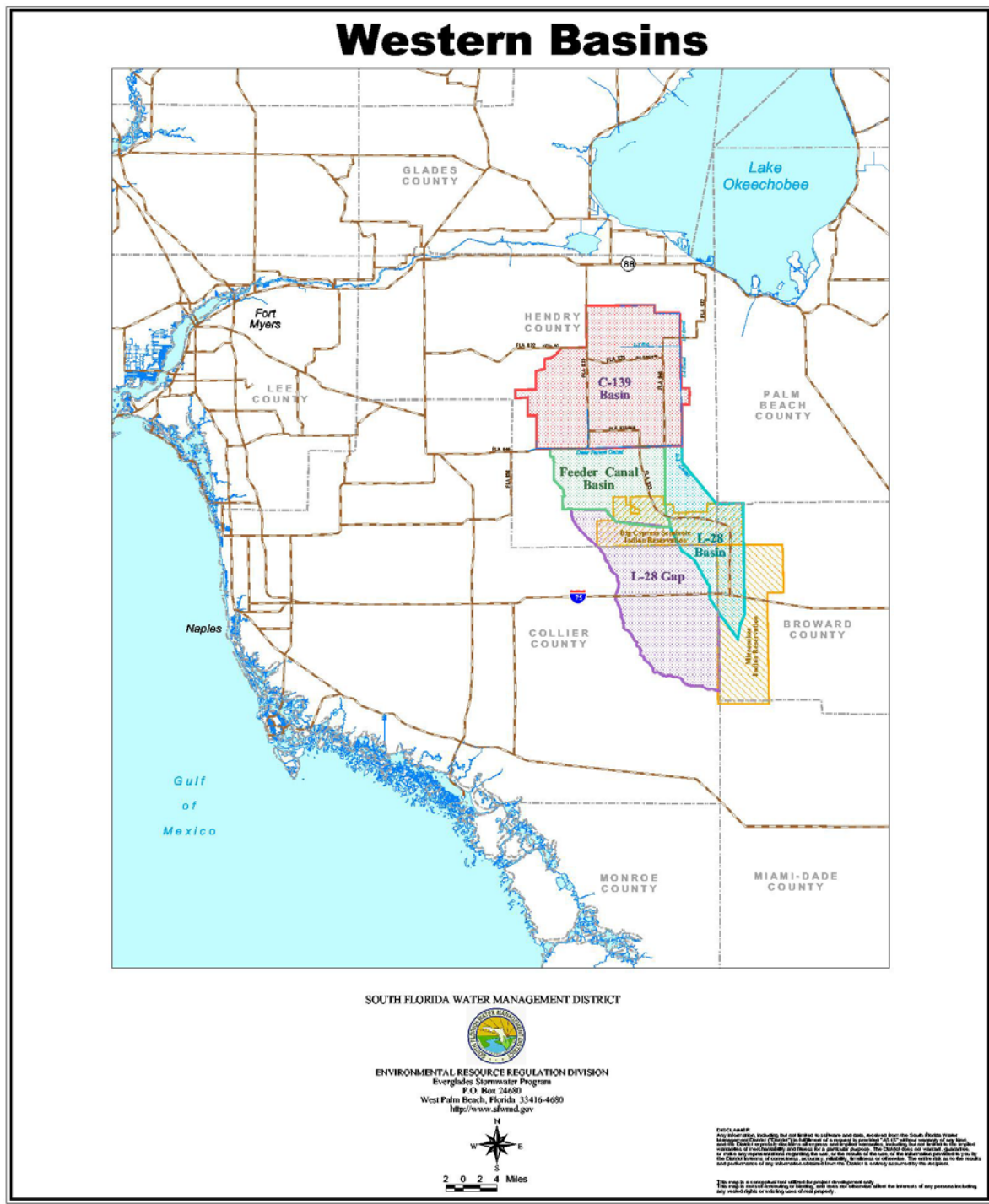


Figure 1. C-139 AND WESTERN BASINS MAP

3.0 Application Process for BMP Implementation Projects

3.1 Application

Landowners in the C-139 and Western Basins who wish to participate in the C-139 and Western Basins BMPs Grant Program must complete an application found in Appendix A and a Request for Taxpayer Identification Number and Certification form found in Appendix B. Applications may be mailed or delivered to the address stipulated on the form. Mailed applications must be post-marked no later than May 11, 2004; delivered applications must be received by 4 p.m. on May 14, 2004. Contact information may be found in Section 7. Applications must include a conceptual plan and timelines for project or phase completion. Applicants are responsible for obtaining engineering plans for any structural BMPs. The partnership will only fund construction costs.

3.2 Selection Committee

A selection committee has been formed to evaluate applications and select projects for funding. The selection committee is composed of two SFWMD staff members, and one member of each NRCS, HSWCD, and FDACs.

3.3 Project Eligibility and Selection

The selection committee will evaluate voluntary BMP implementation projects using the eligibility criteria listed in Section 5 of this handbook, and select eligible projects for funding based on the criteria stipulated in Section 6. Committee meetings in which projects will be evaluated and selected for funding will be advertised and open to the public.

3.4 Allocation of Funds

Based on a fair and equitable formula developed by SFWMD, HSWCD, and NRCS the selection committee will determine construction costs for projects selected. This amount will be the basis for funding. The three-agency partnership may fund up to 75% of the total cost of the project. The remaining portion may be funded by the SFWMD, if the project meets the eligibility criteria.

3.5 Contract Execution and Resource Management Plans

To facilitate the reimbursement process, Applicants with approved BMP implementation projects must enter into contract with the HSWCD. A sample agreement is included in Appendix C. This agreement provides a vehicle for Applicants to be reimbursed for eligible project costs from the three agencies participating in the cost-share program. Subsequent to contract execution, a Resource Management Plan will be developed by NRCS, in cooperation with HSWCD, for the approved project. During development of the Resource Management Plan, it may be determined that a wetland assessment or other activities or documents are necessary.

The Applicant understands that until the agreement with the HSWCD has been executed by both parties, no funds from the partnership have been committed to the Applicant's project. The partnership reserves the right not to issue any funding, if to do so is in the best interest of the partnership.

3.6 Commencement of Work and Inspections

Work may begin as soon as a "Letter of Authorization to Begin Work" from HSWCD is received by the Applicant. On a regular basis, SFWMD staff or his/her representative, will inspect the completed portions of the project to determine if the BMP project is being implemented according to the approved conceptual plan and design. These inspections will be the basis for approval of costs for reimbursement.

3.7 Reimbursement of Approved Costs

Documentation for eligible expenses must be submitted to the HSWCD for reimbursement. Appropriate documentation includes canceled checks, receipts, and/or invoices showing cubic yards of excavation, linear feet of pipe or other material purchased, duration of equipment rental, etc. These must be for total cost incurred. SFWMD will review the documentation and approve payment that reflects the funded portion, and payment will subsequently be disbursed by the HSWCD. Note that funds received by the Applicant are considered taxable income.

4.0 Application Process for BMP Demonstration Projects

4.1 Application

Applicants who wish to receive funding from SFWMD for a demonstration project must submit a proposal containing a scope of work, a description of tasks, a schedule of deliverables, and costs associated with each task. If mailed, the proposal must be post-marked no later than May 11, 2004, or delivered by 4 p.m. on May 14, 2004. Contact information may be found in Section 7.

4.2 Selection Committee

A selection committee has been formed to evaluate proposals. The selection committee is composed of two SFWMD staff members and one NRCS staff member.

4.3 Project Eligibility and Selection

BMP demonstration projects will be evaluated based on eligibility and selection criteria different from the criteria used for BMP implementation projects. Eligibility and selection criteria are included in Sections 5 and 6, respectively. Committee meetings in which projects are evaluated and selected for funding will be advertised and open to the public.

4.4 Allocation of Funds

The basis for funding BMP demonstration projects will be the proposal submitted by the Applicant. Funding for these projects is up to 100% of eligible costs.

4.5 Contract Execution

To facilitate the reimbursement process, Applicants with approved BMP demonstration projects must enter into contract with the HSWCD. A sample agreement is included in Appendix C. This agreement provides a vehicle for the SFWMD to reimburse Applicants for eligible project costs. The Applicant understands that until the agreement with the HSWCD has been executed by both parties, no funds have been committed to the Applicant's project. The SFWMD reserves the right not to issue any funding, if to do so is in the best interest of the SFWMD.

4.6 Commencement of Work

Execution of the contract between Applicant and HSWCD will represent authorization to begin work.

4.7 Reimbursement of Approved Costs

A progress report must be submitted by the Applicant to the HSWCD with each invoice. Payment will be made by HSWCD upon review and approval by SFWMD of the progress report.

5.0 Eligibility Criteria

Participation in this program is open to all eligible applicants without regard to race, color, religion, natural origin, age, sex, marital status, and mental or physical condition.

5.1 BMP Implementation Projects

The following criteria must be met for BMP implementation projects to be eligible for funding under this program:

- Applicant must have submitted a complete application by the due date.
- Project must be located in the C-139 or Western Basin.
- Applicant must own the property on which the project is proposed, have a long-term lease (10 or more years), or be the legally authorized representative of the owner or lessee.

- Property must not be targeted for acquisition in conjunction with the Comprehensive Everglades Restoration Project (CERP) or any other government land-acquisition program within 24 months of application.
- Property can not be under enforcement action or notice of violation by a city, county, state, or federal agency.
- Applicant must be in possession of a construction or environmental permit, if one is required.
- Applicant must have a conceptual plan and timeline for the project.
- Applicant must be able to commence work as soon as funds are available.
- Access to surface water locations must be granted to SFWMD personnel for water quality monitoring activities, if deemed appropriate by the selection committee.
- Project must provide nutrient (phosphorus) load reductions from the region and one or more of the following benefits:
 - 1) Surface Water
 - Quality Improvement
 - Quantity Improvement
 - Water Quality Monitoring
 - 2) Soil Conservation
 - Erosion reduction
 - Deposition enhancement
 - Sediment or particulate transport reduction

5.2 BMP Demonstration Projects

The following criteria must be met for demonstration projects to be eligible for funding under this program:

- Applicant must have submitted a proposal for the project by the due date, including project timeline and deliverables schedule.
- Project must provide new area-specific information regarding the benefits of existing BMPs or new BMPs.
- Project must be related to current land uses in the C-139 and/or Western Basins.
- Project must provide a benefit to water quality or quantity in terms of nutrient (phosphorus) load reduction from the region.

- Project must provide information that can assist in the selection of water quality improvement projects, or water management strategies to reduce quantity of water discharged from the region.

6.0 Projects Selection

6.1 BMP Implementation Projects

BMP implementation projects that meet the eligibility criteria in the previous section will be ranked according to the system described in this section. The following table identifies eligible practices that can be implemented and points allocated to each practice for funding under this program. Projects in the C-139 basin will be given priority and ranked above other projects because the basin is subject to an agricultural privilege tax and is currently out of compliance with the criteria established by the regulatory program. A description of each practice may be found in Appendix D.

| <u>Code</u> | <u>Practice</u> | <u>Points</u> |
|-------------|---|---------------|
| WB1 | Heavy-Use Area Stabilization | 10 |
| WB2 | Filter Strip | 10 |
| WB3 | Grassed Waterway | 10 |
| WB4 | Nutrient Management | 20 |
| WB5 | Cattle-Watering Facilities: | 15 |
| WB6 | Prescribed Grazing | 15 |
| WB7 | Canal Fencing | 20 |
| WB8 | Ditch Cleaning | 20 |
| WB9 | Water Control Structure (With Headers) | 20 |
| WB10 | Sediment Basins-Water Treatment Areas | 20 |
| WB11 | Pasture Renovation | 10 |
| WB12 | Land Use Conversion (from crop to pasture) | 20 |
| WB13 | Crop Residue Management | 10 |
| WB14 | Waterway/Ditch/Canal Bank Stabilization | 10 |
| WB15 | Reservoir or Retention Area | 25 |
| WB16 | Improved Internal Infrastructure Controls | 20 |
| | Project Impacts: | |
| WB17a | < 320 acres | 5 |
| WB17b | >= 320 acres and < 1200 acres | 15 |
| WB17c | >= 1200 acres | 25 |
| | Proximity to basin outfall and/or SFWMD water quality monitoring stations | |
| WB18a | < 1 mile | 25 |
| WB18b | >= 1 mile and < 10 miles | 15 |
| WB18c | >= 10 miles | 5 |

6.2 BMP Demonstration Projects

BMP Demonstration Projects will be selected based on the potential for nutrient (phosphorus) load reductions from the region, the aerial extent of beneficial impacts proposed by the project, and the type and quantity of information that the project will provide to assist in selecting water quality improvement projects.

7.0 FY2004 Application and Program Schedule

| Event | Date/Time | Location and Contact Information |
|---|--|---|
| Public workshop to review 2004 Handbook and program requirements | April 26, 2004 – 9:00 a.m. | Dallas B. Townsend Agriculture Bldg. 1085 Pratt Blvd. Labelle, FL 33035 Steve Sentes – (239) 338-2929 x 7754 Dan Rutledge – (863) 674-4161 |
| For BMP implementation projects: Mail applications (post-marked) by: Deliver applications by: | May 11, 2004 May 14, 2004 – 4:00 p.m. | Dan Rutledge USDA - HSWCD Natural Resources Conservation Service P.O. Box 248, Labelle, FL 33975 Phone: (863) 674-4161 Fax: (863) 612-0727 |
| For BMP demonstration projects: Mail applications (post-marked) by: Deliver applications by: | May 11, 2004 May 14, 2004 – 4:00 p.m. | Marta Edwards SFWMD 3301 Gun Club Rd. P. O. Box 24680 West Palm Beach, FL 33406-4680 Phone: (561) 682-2928 Fax: (561) 682-6896 |
| Public meeting to evaluate and select projects for funding based on criteria specified in Handbook | May 17, 2004 – 9:00 a.m. | Clewiston Field Station 2425 Hookers Point Rd. Clewiston, FL 33440 |
| Contract with HSWCD | One month after project has been selected | |
| Resource Management Plans | As soon as possible after BMP implementation project has been selected | |
| Funds reimbursement | Throughout project after invoice approval | |

8.0 Notice of Applicants' Rights

If an Applicant protests any provisions of the grant application package or ensuing award process, a notice of intent to protest shall be filed with the HSWCD in writing within seventy-two (72) hours, excluding weekends and HSWCD observed holidays, of the notice of grant awards.

The formal written protest shall be filed within 10 days after the date that the notice of intent to protest is filed. Any Applicant who files a formal written protest pursuant to Chapter 28-110, Florida Administrative Code and Section 120.57(3), Florida Statutes, shall post with the HSWCD at the time of filing the formal written protest, a bond pursuant to Section 287.042(2)(c), Florida Statutes. Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed in Chapter 28-110, Florida Administrative Code and Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

APPENDIX A
APPLICATION

**C-139 AND WESTERN BASINS BEST MANAGEMENT
PRACTICES (BMPs) GRANT PROGRAM**

Landowners or Authorized Agent's Name: _____

Telephone Number: _____

Lessee (If applicable): _____

Telephone Number: _____

Farm Tax ID Number (State): _____

Farm Tax ID Number (Federal): _____

Business/Ranch Name: _____

Mailing Address: _____

Legal Description (Section, Township, and Range): _____

Project Acreage: _____

Describe proposed project (BMP's) and timeline for completion:

Signature of Landowner or Authorized Agent

Date

Submit to:
Dan Rutledge
USDA – Natural Resources Conservation Service
P. O. Box 248
Labelle, FL 33975

APPENDIX B

Form **W-9**
(Rev. January 2003)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the
requester. Do not
send to the IRS.

| | | |
|---|---|--|
| Print or type See Specific Instructions on page 2. | Name | |
| | Business name, if different from above | |
| | Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ | <input type="checkbox"/> Exempt from backup withholding |
| | Address (number, street, and apt. or suite no.) | Requester's name and address (optional) |
| | City, state, and ZIP code | |
| List account number(s) here (optional) | | |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN).
However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

| | | | | | | | | |
|--------------------------------|--|--|---|--|--|--|--|--|
| Social security number | | | | | | | | |
| | | | + | | | | | |
| or | | | | | | | | |
| Employer identification number | | | | | | | | |
| | | | + | | | | | |

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
- I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

| | | |
|--------------|---------------|--------|
| Sign Here | Signature of | Date ▶ |
| | U.S. person ▶ | |

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see **Pub. 515**, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

- The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
- The treaty article addressing the income.
- The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- The type and amount of income that qualifies for the exemption from tax.
- Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a **nonresident alien or a foreign entity** not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments (29% after December 31, 2003; 28% after December 31, 2005). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will **not** be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate **Instructions for the Requester of Form W-9**.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your **individual** name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, **enter the owner's name on the "Name" line.** Enter the LLC's name on the "Business name" line.

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note: *You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).*

Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note: *If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.*

Exempt payees. Backup withholding is **not required** on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2);
2. The United States or any of its agencies or instrumentalities;
3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities;
4. A foreign government or any of its political subdivisions, agencies, or instrumentalities; or
5. An international organization or any of its agencies or instrumentalities.

Other payees that **may be exempt** from backup withholding include:

6. A corporation;
7. A foreign central bank of issue;
8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States;

- 9. A futures commission merchant registered with the Commodity Futures Trading Commission;
- 10. A real estate investment trust;
- 11. An entity registered at all times during the tax year under the Investment Company Act of 1940;
- 12. A common trust fund operated by a bank under section 584(a);
- 13. A financial institution;
- 14. A middleman known in the investment community as a nominee or custodian; or
- 15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

| If the payment is for . . . | THEN the payment is exempt for . . . |
|--|--|
| Interest and dividend payments | All exempt recipients except for 9 |
| Broker transactions | Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker |
| Barter exchange transactions and patronage dividends | Exempt recipients 1 through 5 |
| Payments over \$600 required to be reported and direct sales over \$5,000 ¹ | Generally, exempt recipients 1 through 7 ² |

¹ See **Form 1099-MISC**, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are **not exempt** from backup withholding: medical and health care payments, attorneys' fees; and payments for services paid by a Federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a **resident alien** and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN** below.

If you are a **sole proprietor** and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner **LLC** that is disregarded as an entity separate from its owner (see **Limited liability company (LLC)** on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

Note: See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get **Form SS-5**, Application for a Social Security Card, from your local Social Security Administration office or get this form on-line at www.ssa.gov/online/ss5.html. You may also get this form by calling 1-800-772-1213. Use **Form W-7**, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or **Form SS-4**, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web Site at www.irs.gov.

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see **Exempt from backup withholding** on page 2.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA or Archer MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

| For this type of account: | Give name and SSN of: |
|---|---|
| 1. Individual | The individual |
| 2. Two or more individuals (joint account) | The actual owner of the account or, if combined funds, the first individual on the account ¹ |
| 3. Custodian account of a minor (Uniform Gift to Minors Act) | The minor ² |
| 4. a. The usual revocable savings trust (grantor is also trustee) | The grantor-trustee ¹ |
| b. So-called trust account that is not a legal or valid trust under state law | The actual owner ¹ |
| 5. Sole proprietorship or single-owner LLC | The owner ³ |
| For this type of account: | Give name and EIN of: |
| 6. Sole proprietorship or single-owner LLC | The owner ³ |
| 7. A valid trust, estate, or pension trust | Legal entity ⁴ |
| 8. Corporate or LLC electing corporate status on Form 8832 | The corporation |
| 9. Association, club, religious, charitable, educational, or other tax-exempt organization | The organization |
| 10. Partnership or multi-member LLC | The partnership |
| 11. A broker or registered nominee | The broker or nominee |
| 12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments | The public entity |

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ **You must show your individual name**, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

⁴ List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

Note: *If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.*

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or Archer MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, or to Federal and state agencies to enforce Federal nontax criminal laws and to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 30% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.



APPENDIX C

Hendry County Soil and Water Conservation District

CONTRACT SUPPORT DOCUMENT Schedule of Operations



| Name / Address | | | Site Name | | | Program | Contract Number | | | Total Acres Under Contract | | | |
|----------------|--------------------|--|--------------------------|-----------|---------------|-----------------|-----------------|--------------------------|--|----------------------------|------|------|------|
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Item number | Practice Component | Planned Conservation Treatment and description | Estimated Amount (units) | Unit Type | Cost per unit | Total Cost Rate | % Cost Shared | Cost Shared Payment Rate | Completion Schedule and Estimated Cost-Share payment by year | | | | |
| | | | | | | | | | 2004 | 2005 | 2006 | 2007 | 2008 |
| | | 0 | | | | | | | | | | | |
| | | 0 | | 0 | \$ - | \$ - | 75% | \$ - | | | | | |
| | | 0 | | 0 | \$ - | \$ - | 75% | \$ - | | | | | |

APPENDIX C

Hendry County Soil and Water Conservation District

CONTRACT SUPPORT DOCUMENT Schedule of Operations



| | | | | | | | | | | | | | |
|--|--|---|------|---|------|------|-----|------|------|------|------|------|------|
| | | 0 | | | | | | | | | | | |
| | | 0 | | 0 | \$ - | \$ - | 75% | \$ - | | | | | |
| | | 0 | | 0 | \$ - | \$ - | 75% | \$ - | | | | | |
| Total Cost / Cost-Share / Payment per Year | | | | | | \$ - | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| TOTAL CONTRACT PAYMENT | | | \$ - | | | | | | | | | | |

Notes:

- A. All items on this form must be carried out as part of this contract to prevent violation
- B. When established, the conservation practice must be maintained by the participant at no cost to the district.
- C. All cost share rates are based on an Actual Cost not to exceed the specific amount listed.
- D. All modifications will be approved and documented by the Hendry SWCD.
- E. By signing, the participant acknowledges receipt of this contract and agrees to comply with the terms and conditions hereof.

Certification of Participants

| |
|--|
| Participant |
| <div style="display: flex; justify-content: space-between;"> 0 Date </div> |

| |
|--|
| Approved by (Conservation District Representative) |
| <div style="display: flex; justify-content: space-between;"> Hendry SWCD Date </div> |

APPENDIX D

DESCRIPTION OF BMPs

Heavy-Use Area Stabilization (WB1)

Areas frequently and intensively used by people, animals, or vehicles are subject to soil erosion. Stabilization may be accomplished by placing vegetative cover, surfacing with suitable materials, or installing stabilization structures to:

- Reduce soil erosion.
- Improve water quality.
- Improve livestock health.
- Improve aesthetics.

Filter Strip (WB2)

A strip of area of herbaceous vegetation may be placed between cropland, grazing land, or disturbed land and environmentally sensitive areas to:

- Reduce sediments (organic, inorganic and contaminated) in irrigation or stormwater runoff.
- Reduce dissolved contaminant loadings in runoff.
- Restore, create, or enhance herbaceous habitat for wildlife and beneficial insects.
- Maintain or enhance watershed functions and value.

Grassed Waterway (WB3)

A vegetated natural or constructed channel to:

- Convey runoff from terraces, diversions, or other structures without causing erosion or flooding.
- Reduce gully erosion
- Protect or improve water quality

Nutrient Management (WB4)

A management practice that controls the amount, source, placement, form, and timing of nutrients and soil amendments to:

- Provide timely supply of nutrients for plant production.
- Properly utilize manure or organic by-products as a plant-nutrient source.

- Minimize agricultural non-point source pollution of surface and ground water resources.
- Maintain or improve the physical, chemical, and biological condition of soil.

Cattle-Watering Facilities (WB5)

A practice to protect and enhance vegetative cover through proper distribution of grazing to:

- Provide erosion control through better grazing land management.
- Protect streams, ponds, and water supplies from contamination by providing alternative access to water.

Examples of cattle-watering facilities are:

- Ponds - Water impoundments made by constructing a dam or an embankment or by excavating a pit or dugout.
- Tank - Devices (tank, trough, or other watertight container for providing animals access to water).
- Wells - Holes drilled, dug, bored, jetted, or otherwise to provide water from an aquifer.
- Pumps - Mechanical device to move and store water for livestock.
- Pipelines – Pipes having an inside diameter of 8 inches or less to convey water from a source of supply to points of use for livestock, poultry, wildlife, recreation, etc.

Prescribed Grazing (WB6)

A management practice that controls harvest of vegetation by grazing or browsing animals to:

- Maintain a stable and desired plant community, or improve or maintain the health and vigor of selected plant(s).
- Provide or maintain food, cover, and shelter for farm animals.
- Improve or maintain animal health and productivity.
- Maintain or improve water quality and quantity.
- Reduce accelerated soil erosion and maintain or improve soil condition.

Canal Fencing (WB7)

A barrier constructed to exclude livestock, wildlife, or people from waterways to:

- Reduce soil erosion from stream or ditch banks.
- Improve water quality.

Ditch Cleaning (WB8)

The practice limited of removing vegetation no deeper than the average depth of the existing or previous plant root zone, usually 18" or less. Note that making a ditch deeper/wider may require a new or a modification to a surface water management permit. Spoil material from the ditch cleaning must be disposed in such a way as to not impact water storage or water-conveyance areas, or neighbors' property. Turbidity in the downstream water body must be prevented and obstructions that could impair flow removed.

Water-Control Structures (With Headers) (WB9)

A water-conveyance structure in a water management system to:

- Control the stage, discharge, distribution, or direction of water in open channels or water use areas.
- Provide water quality control
- Protect fish and wildlife and other natural resources.

Sediment Basins - Water Treatment Areas (WB10)

A basin constructed by forming an earth embankment or a combination of ridge and channel generally constructed across the slope of minor watercourses to:

- Improve downstream water quality by trapping sediment.
- Preserve the capacity of reservoirs, ditches, canals, waterways, and streams.
- Reduce water course and gully erosion by reducing water speed.
- Prevent undesirable deposition of sediment on bottomlands and developed areas.
- Store deposited silt, sand, gravel, stone, agricultural wastes, and other detritus.

Pasture Renovation (WB11)

A practice to re-establish bahia grass for forage, including seedbed preparation by light disking or roller chopping, seeding, and application of fertilizer and lime.

Land Use Conversion (From Crop To Pasture) (WB12)

The practice of converting high-intensity farmland, e.g., row crops, to pasture. Pasture grasses must be planted in conformance with USDA Natural Resources Conservation Service standards and specifications and IFAS recommendations.

Crop Residue Management (WB13)

The practice of using plant residue during critical erosion periods to increase infiltration, reduce soil loss, improve soil tilth, and provide wildlife food and cover. NRCS provides Standards and Specifications that must be followed.

Waterway, Ditch, or Canal Bank Stabilization (WB14)

The practice of placing vegetative cover, surfacing with suitable materials, or installing stabilization structures to:

- Reduce soil erosion.
- Maintain flow or storage capacity of a water body.
- Improve water quality.

Reservoir or Retention Area (WB15)

An area for storage of surface water that allows amount and frequency of off-site discharges to be regulated. It provides detention time to allow particles to settle, thereby improving water quality.

Improved Internal Infrastructure Controls (WB16)

An on-farm water management system that re-circulates surface water. Internal pumps move water to storage areas for later use; off-farm discharges are controlled.

Project Impacts (WB17a, WB17b, WB17c)

A measure of the beneficial impacts that result from the implementation of a voluntary BMP based on project acreage. More points are received for projects that affect larger areas.

Proximity to Basin Outfall and/or SFWMD Water Quality Monitoring Stations (WB18a, WB18b, and WB18c)

Distance from a SFWMD water quality monitoring station. More points are received for projects that are closer to the basin outfall or to a SFWMD water quality monitoring station.